

MINUTES

The Tennessee State Board of Barber Examiners held a meeting on June 18, 2007 at 9:00 a.m. CDT, in Nashville, Tennessee.

The following members were present: J. B. Loring, President, Vernon Winfrey, Joe Jones, Cecil Groce and JaSanto Williams.

Others present were: Beverly Waller, Executive Director, Kathryn Wiseman, Staff Attorney and Debbie Gean, Administrative Assistant.

President J. B. Loring asked all to join Mr. Cecil Groce in prayer.

President J. B. Loring asked all to stand for the pledge of allegiance.

President J. B. Loring asked for a roll call.

MINUTES

MOTION was made by Mr. Cecil Groce and seconded by Mr. Joe Jones to approve the minutes from the April 16, 2007. Motion carried unanimously.

APPEAR BEFORE THE BOARD

Kelly Derlvan – Present. Mobile Barber Services – Services would be available for customers to go online to schedule a hair appointment. The barbers would be able to go to the client's home or office for services. Barbers in the area would have the information about themselves available online so that appointments could be scheduled. Kathryn Wiseman, Staff Attorney has researched mobile barbering services and states that many states are using these services, but a change in law would have to be made to allow this service in Tennessee.

Debbie Dalton, Sparta, TN – Barber Examinations – Present. Ms. Dalton was a PSI rater and has complaints against PSI. Ms. Dalton states that the PSI Memphis practical test site is neglecting the barber examination. Ms. Dalton stated there are issues concerning sanitation and confrontation with candidates at the test site. Ms. Dalton stated that she has tried to contract Shonell to advise her of this, but has had no response.

ADMINISTRATIVE REPORT

Application for change of location for Dudley Nwani - The School (barber school). The school will be moving to 3744 Annex Ave Suite A1, Nashville, Tennessee. The Board member for this area is Mr. Winfrey and the inspector is Barbara Hendrix, they will need to visit the location to verify the school is in compliance with all requirements.

She stated the Board she tried to address these problems at the Memphis practical test site with site Supervisor, Shonell Griffith but did not get any response. The Board requested Ms. Dalton to prepare a list of problems and issues concerning PSI at the Memphis Practical test site for barber examination and forward to Ms. Waller at the Board office. Board members requested that Ms. Waller after reviewing the list to contact PSI for appearance before the Board at the next schedule meeting to discuss this matter.

MOTION was made by Mr. Cecil Groce and seconded by Mr. Joe Jones to approve the application for change of location. Motion carried unanimously.

At the previous board meeting Ms. Waller, Executive Director presented three barber instructors' who have not met the requirements for continuing education due to incarceration in the State's correctional facilities. Due to the fact they could not attend the 16 hours of continuing education they were going to lose their instructor status. The Board voted to request the licensees to submit information as to their possible date of release and the board would review to determine if they would grant extensions.

Mr. Clonte Thomas received his master barber instructor license in Tennessee while he was incarcerated. He works as a teacher's aide for Gerald Jones the Master barber instructor at the correctional facility. He has been Mr. Jones's aide for seven (7) years and he has six (6) years remaining before he is eligible for parole year 2013.

Mr. Larry Williams is a licensed barber instructor incarcerated at Riverbend Maximum Security facility and he will likely be released on or around September 2009.

Mr. Tristan J. Buckner is a licensed barber instructor incarcerated at Charles Bass Correctional Facility and plans to be out of prison October of 2007.

MOTION was made by Mr. Cecil Groce and seconded by Mr. Joe Williams to grant extensions for 2007 seminar attendance and the following years they must contact Ms. Waller at the time of the seminars so they can request extensions until they are released from prison. Motion carried unanimously.

Request extension from her required attendance of the barber instructor seminar from Ms. Hattie Mai Taylor. Ms. Beverly Waller, Executive Director talked at length with Ms. Taylor, she had let her license expire and the renewal fee for the length of time for expiration was \$480.00. She explained to Ms. Waller she was taking care of her sister who was terminally ill and she had to take another job due to the financial situation of her sister to help her sister buy her medicine. Her sister's financial situation was so bad she had to work two jobs and the second job would not let her off for the seminar. Her license expired and she saved enough money to renew her license. She would like the board to grant her an extension from the 2005 seminar and allow her to attend 2007 and 2008 seminars to prevent her from losing her instructor status. Ms. Waller advised her that she would take this matter before the board for consideration.

MOTION was made by Mr. Cecil Groce and Joe Jones to grant Ms. Taylor an extension from the 2005 seminar and have her attend the 2007 & 2008 seminars. Motion carried unanimously.

Presentation for approval of a Barber Kiosk for Tennessee. This is from the Barber Zone business which apparently sells the Barber Kiosk. The kiosk is designed to go into a host business. The kiosk has hot and cold water in a self-contained sink system for easy sanitation. This simple system is easily maintained with two six gallon portable containers, one for clean water and one for dirty water. The dirty water can be emptied into a toilet or utility sink. All that is needed to open for business is a standard 110 volt outlet and an inspection by a barber shop inspector. The kiosk is designed for plain haircuts and shaves, meaning absolutely no chemicals are used and no shampooing. Photos are available.

MOTION was made by Mr. Cecil Groce and seconded by Mr. Vernon Winfrey to deny this request. Motion carried unanimously.

Mr. Cecil Groce is scheduled and approved for the Instructor Seminar in Knoxville, July 15th & 16th.

Information concerning formal hearing process was in the board members packets. The Board will be holding formal hearings and recently the department held a training session for formal hearing. The information will give the board members insight as to the responsibility of the Board Members and the process for making decisions at a formal hearing.

Ms. Waller advised the Board of the closing of EZP's College of Barbering & Hair Design, Nashville. This school was approved for opening but never actually opened due to the illness of the school owner. This school is now closed and school license have been returned.

Recently at the barber continuing education seminar in Memphis, during the PSI presentation several questions were raised concerning the master barber exam. The Board will be doing test review of the examination, which we do each year. with PSI the latter part of the year. Since all barber instructors and school owners cannot participate in the actual test review I advised them to submit suggestions, concerns and questions to the board office. Some instructors and school owners are planning to attend the September board meeting to discuss some of the concerns and issues with the examination and some are planning to bring their barber students. It will be their first time attending a barber board meeting. I advised all instructors and school owners they welcome.

Consent orders totaled \$3,100.00.

Clean Cuts
658 E. Old Hickory Blvd.
Madison, TN 37115

Violation issued March 23, 2006

Pd \$500.00 on 6-11-07

Kingston Barber shop
205 East Race Street
Kingston, TN 37763

Violation issued October 25, 2006
Pd \$500.00 on 4-26-07

Oscar's Barber Shop
210 Thompson Lane
Nashville, TN 37211

Violation issued February 23, 2007
Pd \$2,000.00 on 5-1-07

Charlie Pitts
1560 E. Pitts Lane
Murfreesboro, TN 37130

Violation issued March 17, 2007
Pd \$100.00 on 5-1-07

MOTION was made by Mr. Cecil Groce and seconded by Mr. Vernon Winfrey to accept the consent orders. Motion carried unanimously.

STAFF ATTORNEY REPORT

1. Case No.: L07-BAR-RBS-2007058541

April 11, 2007 Notice of Violation provides that barber student was employed at Respondent shop and was cutting hair without a license. The student was six (6) weeks from graduation at the time of the inspection.

Recommendation: Close with Letter of Warning

MOTION was made by Mr. Cecil Groce and seconded by Mr. Joe Jones to accept the recommendation and fine the shop \$500.00. Motion carried unanimously.

2. Case No.: L07-BAR-RBS-2007057341

Violation states that Respondent was operating a licensed barber shop in a new location without having first notified the Board.

Recommendation: Close with Letter of Warning

MOTION was made by Mr. Cecil Groce and seconded by Mr. Vernon Winfrey to accept the recommendation and fine the shop \$200.00. Motion carried unanimously.

3. Case No.: L07-BAR-RBS-2007057361

April 4, 2007 Notice of Violation provides that the inspector found Respondent operating a barber shop with an expired shop license.

Recommendation: Formal Hearing; \$250 civil penalty

MOTION was made by Mr. Cecil Groce and seconded by Mr. Joe Jones to accept the recommendation. Motion carried unanimously.

4. Case No.: L07-BAR-RBS-2007061071

May 2, 2007 Notice of Violation states that the inspector found an unlicensed individual working in Respondent barber shop.

Recommendation: Formal Hearing (\$500 civil penalty)

MOTION was made by Mr. Cecil Groce and seconded by Mr. Joe Jones to accept the recommendation. Motion carried unanimously.

5. Case No.: L07-BAR-RBS-2007061061

April 4, 2007 Notice of Violation provides that Respondent was operating with an expired shop license. Respondent's shop license expired on April 30, 2005.

Prior complaints: 2/5/2005 – expired operator license – no response

10/11/2005 – expired shop license – no response

6/21/2006 – expired shop license and unlicensed operator – no response

Recommendation: File Charges

MOTION was made by Mr. Cecil Groce and seconded by Mr. Vernon Winfrey to have a formal hearing. Motion carried unanimously.

6. Case No.: L07-BAR-RBS-2007063831

June 1, 2007 Notice of Violation provides that Respondent's master barber license expired on March 31, 2006.

Recommendation: Formal Hearing (\$250 civil penalty)

MOTION was made by Mr. Cecil Groce and seconded by Mr. Vernon Winfrey to accept the recommendation. Motion carried unanimously.

7. Case No.: L07-BAR-RBS-2007057661

Complainant states that she went to Respondent's barber college to have a sew-in. Complainant was unhappy with the result and complained to the school director. The

director agreed to have Complainant's weave redone at no charge later in the week. Complainant came back and became angry when she was told that a student would be doing her hair, not the director. Respondent explained to Complainant that only students can perform services in a school. Respondent states that Complainant became irate and began cursing at the staff. Complainant demanded a refund and, after what seems to have been a heated argument, Respondent refunded Complainant's money and asked her not to return. The director, an instructor and two students who were present at the time of the incident agree that Complainant was out of line.

Recommendation: Dismiss

MOTION was made by Mr. Cecil Groce and seconded by Mr. Joe Jones to accept the recommendation. Motion carried unanimously.

OTHER BUSINESS

The board members voted, Mr. JaSanto Williams as the new Vice-President of the board.

MOTION was made by Mr. Cecil Groce and seconded by Mr. Vernon Winfrey to adjourn the meeting.